HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16096 of 2006

Dated 1st AUGUST 2006

Between:

Chintalappa S/o Sayappa, aged about 46 years
R/o Singaram village, Narayanpet Mandal
Mahaboobnagar District

… Petitioner

And:

Election Officer cum Returning Officer- Stage-I
Singaram Gram Panchayat, Narayanpet Mandal
Mahaboobnagar District & 2 others

… Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16096 of 2006

ORDER:

Heard the learned counsel.

This writ petition is filed for writ of mandamus declaring the action of the respondents 1 and 2 in rejecting the petitioner's nomination to the election to the office of the Sarpanch, Singaram Gram Panchayat, Narayanpet Mandal, Mahaboobnagar District, schedule to be held on 6.8.2006 and issuing the impugned proceedings dated 22.07.2006 vide Proceedings No.E/977/06 passed by the 2nd respondent, confirming the rejection of the petitioner's nomination by the 1st respondent as arbitrary, illegal, and contrary to sub-section 3 of Section 19 of A.P.Panchayat Raj Act 1994 and the rules made there under and violative of Article 14 of the Constitution of India and the same be set aside by permitting the petitioner to contest the elections to the office of Sarpanch, Singaram Gram Panchayat, Narayanpet Mandal, Mahaboobnagar and pass such other suitable orders.

The main ground for rejection of the nomination is that the petitioner is having four children. Certain averments were made stating that this disqualification is not applicable to the petitioner. It is needless to say that the writ Court cannot gone into those factual details at this stage. Hence, inasmuch as the petitioner is having a remedy by way of Election Petition, giving liberty to approach the appropriate Election Tribunal, this writ petition is disposed of. No order as to costs.

_____

P.S. NARAYANA, J

Dated: 1st AUGUST 2006
BSS/MDAA